



# DRAFT MINUTES

## EDUCATION INTERIM COMMITTEE

Wednesday, November 15, 2023 | 8:00 a.m. | 445 State Capitol

### Members Present:

Sen. John D. Johnson, Chair  
Rep. Candice B. Pierucci, Chair  
Sen. Lincoln Fillmore  
Sen. Kathleen A. Riebe  
Rep. Kera Birkeland  
Rep. Tyler Clancy  
Rep. Katy Hall  
Rep. Dan N. Johnson  
Rep. Karianne Lisonbee  
Rep. Carol S. Moss  
Rep. Jefferson Moss  
Rep. Karen M. Peterson  
Rep. Val L. Peterson  
Rep. Susan Pulsipher

Rep. Angela Romero  
Rep. Mark A. Wheatley

### Members Absent:

Sen. Keith Grover  
Sen. Ann Millner  
Rep. Steven J. Lund  
Rep. Mike Schultz

### Staff Present:

Micah Ann Wixom, Policy Analyst  
Robert Wood, Policy Analyst  
Rhonda Bailey, Associate General Counsel  
Mike Curtis, Managing Associate General Counsel  
Jeff Van Hulten, Associate General Counsel  
Taylor Calabrese, Administrative Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Chair Johnson called the meeting to order at 8:03 a.m.

## 1. Committee Business

**MOTION:** Rep. Lisonbee moved to approve the minutes of the October 11, 2023, meeting. The motion passed with a vote of 11 - 0 - 9.

### Yeas - 11

Rep. T. Clancy  
Sen. L. Fillmore  
Rep. K. Hall  
Rep. D. Johnson  
Sen. J. Johnson  
Rep. K. Lisonbee  
Rep. C. Moss  
Rep. K. Peterson  
Rep. V. Peterson  
Rep. C. Pierucci  
Sen. K. Riebe

### Nays - 0

### Absent - 9

Rep. K. Birkeland  
Sen. K. Grover  
Rep. S. Lund  
Sen. A. Millner  
Rep. J. Moss  
Rep. S. Pulsipher  
Rep. A. Romero  
Rep. M. Schultz  
Rep. M. Wheatley

Chair Johnson notified the committee of the committee's required reports.

## 2. Draft Legislation: Sensitive Material Review Amendments

[2 - "Sensitive Material Review Amendments" \(2024FL0657-008\)](#)

[2 - "Sensitive Material Review Amendments" Bill Summary](#)

Mike Curtis, Managing Associate General Counsel, Office of Legislative Research and General Counsel, presented on 2024 General Session draft legislation, "Sensitive Material Review Amendments."

Mike Curtis responded to questions from the committee.

Rep. Romero raised a point of order.

Rep. Ken Ivory provided additional clarification on "Sensitive Material Review Amendments."

The following individuals provided public comment:

Brooke Stephens, Utah Parents United, spoke in favor of the bill.

Terra Cooper, Utah Parents for Teachers, spoke against the bill.

Melanie Mortensen, resident, spoke in favor of the bill.

Lexi Cunningham, Utah Schools Superintendents Association and Utah School Boards Association, spoke against the bill.

Kristin Richey, Utah Eagle Forum, spoke in favor of the bill.

Julie King, resident, spoke against the bill.

Diane Livingston, resident, spoke in favor of the bill.

Joylin Lincoln, resident, spoke against the bill.

Glenden Mitchell, resident, spoke in favor of the bill.

Kevin Korous, resident, spoke against the bill.

Darlene McDonald, resident, spoke in favor of the bill.

Jen Robinson, resident, spoke against the bill.

Aaron Bullen, resident, spoke in favor of the bill.

Crystal Young, Utah Library Association, spoke to the bill.

**MOTION:** Rep. Pierucci moved to amend line 161 in "Sensitive Material Review Amendments" to increase one school district to two school districts.

**SUBSTITUTE MOTION:** Sen. Riebe moved to amend "Sensitive Material Review Amendments" to require the number of school districts to represent 40% of the student population. The substitute motion failed with a vote of 4 - 10 - 6.

Yeas - 4

Rep. C. Moss  
Sen. K. Riebe  
Rep. A. Romero  
Rep. M. Wheatley

Nays - 10

Rep. K. Birkeland  
Rep. T. Clancy  
Sen. L. Fillmore  
Rep. D. Johnson  
Sen. J. Johnson  
Rep. K. Lisonbee  
Rep. J. Moss  
Rep. V. Peterson  
Rep. C. Pierucci  
Rep. S. Pulsipher

Absent - 6

Sen. K. Grover  
Rep. K. Hall  
Rep. S. Lund  
Sen. A. Millner  
Rep. K. Peterson  
Rep. M. Schultz

**MOTION:**

Rep. Pierucci moved to amend line 161 in "Sensitive Material Review Amendments" to increase one school district to two school districts. The motion passed with a vote of 14 - 0 - 6.

Yeas - 14

Rep. K. Birkeland  
Rep. T. Clancy  
Sen. L. Fillmore  
Rep. D. Johnson  
Sen. J. Johnson  
Rep. K. Lisonbee  
Rep. C. Moss  
Rep. J. Moss  
Rep. V. Peterson  
Rep. C. Pierucci  
Rep. S. Pulsipher  
Sen. K. Riebe  
Rep. A. Romero  
Rep. M. Wheatley

Nays - 0Absent - 6

Sen. K. Grover  
Rep. K. Hall  
Rep. S. Lund  
Sen. A. Millner  
Rep. K. Peterson  
Rep. M. Schultz

**MOTION:**

Rep. Pierucci moved to favorably recommend "Sensitive Material Review Amendments" as amended. The motion passed with a vote of 10 - 4 - 6.

Yeas - 10

Rep. K. Birkeland  
Rep. T. Clancy  
Sen. L. Fillmore  
Rep. D. Johnson  
Sen. J. Johnson  
Rep. K. Lisonbee  
Rep. J. Moss  
Rep. V. Peterson  
Rep. C. Pierucci  
Rep. S. Pulsipher

Nays - 4

Rep. C. Moss  
Sen. K. Riebe  
Rep. A. Romero  
Rep. M. Wheatley

Absent - 6

Sen. K. Grover  
Rep. K. Hall  
Rep. S. Lund  
Sen. A. Millner  
Rep. K. Peterson  
Rep. M. Schultz

**3. Draft Legislation: Public Education Program Modifications**

[3 - "Public Education Program Modifications" \(2024FL1076-004\)](#)

[3 - "Public Education Program Modifications" Bill Summary](#)

Rhonda Bailey, Associate General Counsel, Office of Legislative Research and General Counsel, presented on 2024 General Session draft legislation, "Public Education Program Modifications."

Jim Moss, Chair, and Angie Stallings, Deputy Superintendent, Utah State Board of Education, provided additional clarification on "Public Education Program Modifications."

**MOTION:** Rep. Pulsipher moved to amend lines 446 and 450 in "Public Education Program Modifications" to change "shall" to "may". The motion passed with a vote of 13 - 0 - 7.

Yeas - 13

Rep. K. Birkeland  
Rep. T. Clancy  
Sen. L. Fillmore  
Rep. D. Johnson  
Sen. J. Johnson  
Rep. K. Lisonbee  
Rep. C. Moss  
Rep. V. Peterson  
Rep. C. Pierucci  
Rep. S. Pulsipher  
Sen. K. Riebe  
Rep. A. Romero  
Rep. M. Wheatley

Nays - 0Absent - 7

Sen. K. Grover  
Rep. K. Hall  
Rep. S. Lund  
Sen. A. Millner  
Rep. J. Moss  
Rep. K. Peterson  
Rep. M. Schultz

Jim Moss and Angie Stallings responded to questions from the committee.

The following individuals provided public comment:

LeAnne Wood, resident, spoke to the bill.

**MOTION:** Rep. Pulsipher moved to favorably recommend "Public Education Program Modifications" as amended. The motion passed with a vote of 9 - 5 - 6.

Yeas - 9

Sen. L. Fillmore  
Rep. D. Johnson  
Sen. J. Johnson  
Rep. C. Moss  
Rep. C. Pierucci  
Rep. S. Pulsipher  
Sen. K. Riebe  
Rep. A. Romero  
Rep. M. Wheatley

Nays - 5

Rep. K. Birkeland  
Rep. T. Clancy  
Rep. K. Hall  
Rep. K. Lisonbee  
Rep. V. Peterson

Absent - 6

Sen. K. Grover  
Rep. S. Lund  
Sen. A. Millner  
Rep. J. Moss  
Rep. K. Peterson  
Rep. M. Schultz

#### **4. Draft Legislation: Statewide Online Education Program Amendments**

##### [4 - "Statewide Online Education Program Modifications" \(2024FL1077-001\)](#)

Rep. Johnson presented on 2024 General Session draft legislation, "Statewide Online Education Program Modifications."

Jeff Van Hulten, Associate General Counsel, Office of Legislative Research and General Counsel, Quinn Kellis, Technology Supported Learning Coordinator, Utah State Board of Education, and David Long, Superintendent, Beaver County School District, provided additional information on "Statewide Online Education Program Modifications."

Quinn Kellis responded to questions from the committee.

#### **5. Draft Legislation: Classroom Neutrality**

##### [5 - "Classroom Neutrality" \(2024FL1114-002\)](#)

Mike Curtis presented an introduction to 2024 General Session draft legislation, "Classroom Neutrality."

Rep. Jeffrey Stenquist and Megan Kallas, parent, provided additional information on "Classroom Neutrality."

Rep. Stenquist responded to questions from the committee.

The following individuals provided public comment:

Nicholeen Peck, Worldwide Organization for Women, spoke in favor of the bill.

Juliet Reynolds, resident, spoke against the bill.

Melanie Mortensen, resident, spoke in favor of the bill.

Marina Lowe, Equality Utah, spoke against the bill.

Brad Asay, American Federation of Teachers Utah, spoke against the bill.

Noah Whitcamp, student, spoke to the bill.

Madeline Badger, student, spoke against the bill.

Ellen Brady, resident, spoke against the bill.

Jessica Pino, resident, spoke against the bill.

Aaron Bullen, resident, spoke in favor of the bill.

Jim Moss spoke to the bill.

**MOTION:** Rep. Birkeland moved to move to the next item on the agenda. The motion passed with a vote of 12 - 0 - 8.

Yeas - 12

Rep. K. Birkeland  
Rep. T. Clancy  
Sen. L. Fillmore  
Rep. K. Hall  
Rep. D. Johnson  
Sen. J. Johnson  
Rep. C. Moss  
Rep. C. Pierucci  
Rep. S. Pulsipher  
Sen. K. Riebe  
Rep. A. Romero  
Rep. M. Wheatley

Nays - 0

Absent - 8

Sen. K. Grover  
Rep. K. Lisonbee  
Rep. S. Lund  
Sen. A. Millner  
Rep. J. Moss  
Rep. K. Peterson  
Rep. V. Peterson  
Rep. M. Schultz

## **6. Draft Legislation: Alternative Education Scholarship Combination**

### [6 - "Alternative Education Scholarship Combination" \(2024FL1078-002\)](#)

Sen. Fillmore presented on 2024 General Session draft legislation, "Alternative Education Scholarship Combination."

Sen. Fillmore responded to questions from the committee.

Jeff Van Hulten responded to questions from the committee.

The following individuals provided public comment:

Jon England, Libertas Institute, spoke in favor of the bill.

Jonathan Bejarano, resident, spoke against the bill.

**MOTION:** Rep. Birkeland moved to insert "published" before "tuition" on line 144 in "Alternative Education Scholarship Combination." The motion passed with a vote of 11 - 0 - 9.

Yeas - 11

Rep. K. Birkeland  
Rep. T. Clancy  
Sen. L. Fillmore  
Rep. K. Hall  
Rep. D. Johnson  
Sen. J. Johnson  
Rep. C. Moss  
Rep. C. Pierucci  
Sen. K. Riebe  
Rep. A. Romero  
Rep. M. Wheatley

Nays - 0

Absent - 9

Sen. K. Grover  
Rep. K. Lisonbee  
Rep. S. Lund  
Sen. A. Millner  
Rep. J. Moss  
Rep. K. Peterson  
Rep. V. Peterson  
Rep. S. Pulsipher  
Rep. M. Schultz

**MOTION:** Rep. Pierucci moved to amend the funding schedule in "Alternative Education Scholarship Combination" to ensure families who have children with more severe disabilities who are not under the 185% poverty level do not receive a decrease from existing award amounts. The motion passed with a vote of 11 - 0 - 9.

Yeas - 11

Rep. K. Birkeland  
Rep. T. Clancy  
Sen. L. Fillmore  
Rep. K. Hall  
Rep. D. Johnson  
Sen. J. Johnson  
Rep. C. Moss  
Rep. C. Pierucci  
Sen. K. Riebe  
Rep. A. Romero  
Rep. M. Wheatley

Nays - 0

Absent - 9

Sen. K. Grover  
Rep. K. Lisonbee  
Rep. S. Lund  
Sen. A. Millner  
Rep. J. Moss  
Rep. K. Peterson  
Rep. V. Peterson  
Rep. S. Pulsipher  
Rep. M. Schultz

**MOTION:** Rep. Pierucci moved to favorably recommend "Alternative Education Scholarship Combination." The motion passed with a vote of 11 - 0 - 9.

Yeas - 11

Rep. K. Birkeland  
Rep. T. Clancy  
Sen. L. Fillmore  
Rep. K. Hall  
Rep. D. Johnson  
Sen. J. Johnson  
Rep. C. Moss  
Rep. C. Pierucci  
Sen. K. Riebe  
Rep. A. Romero  
Rep. M. Wheatley

Nays - 0

Absent - 9

Sen. K. Grover  
Rep. K. Lisonbee  
Rep. S. Lund  
Sen. A. Millner  
Rep. J. Moss  
Rep. K. Peterson  
Rep. V. Peterson  
Rep. S. Pulsipher  
Rep. M. Schultz

## **7. Draft Legislation: Education Entity Amendments**

[7 - "Education Entity Amendments" \(2024FL0261-004\)](#)

[7 - "Education Entity Amendments" Handout](#)

[7 - Micro-Education Entities Presentation](#)

Sen. Fillmore presented on 2024 General Session draft legislation, "Education Entity Amendments."

Sen. Fillmore responded to questions from the committee.

The following individuals provided public comment:

Maria Dowdle, resident, spoke against the bill.

Karson Eilers, Utah League of Cities and Towns, spoke to the bill.

Alex Cheung, Wilderland Academy, spoke in favor of the bill.

Kelly Pierce, resident, spoke in favor of the bill.

Jon England, Libertas Institute, spoke in favor of the bill.

Ian Lindsey, Acton Academy St. George, spoke in favor of the bill.

Jonathan Bejarano, resident, spoke against the bill.

**MOTION:** Rep. Pierucci moved to favorably recommend "Education Entity Amendments." The motion passed with a vote of 8 - 4 - 8.

Yeas - 8

Rep. K. Birkeland  
Rep. T. Clancy  
Sen. L. Fillmore  
Rep. K. Hall  
Rep. D. Johnson  
Sen. J. Johnson  
Rep. C. Pierucci  
Rep. S. Pulsipher

Nays - 4

Rep. C. Moss  
Sen. K. Riebe  
Rep. A. Romero  
Rep. M. Wheatley

Absent - 8

Sen. K. Grover  
Rep. K. Lisonbee  
Rep. S. Lund  
Sen. A. Millner  
Rep. J. Moss  
Rep. K. Peterson  
Rep. V. Peterson  
Rep. M. Schultz

## **8. Adjourn**

**MOTION:** Rep. Pierucci moved to adjourn. The motion passed with a vote of 12 - 0 - 8.



Yeas - 12

Rep. K. Birkeland  
Rep. T. Clancy  
Sen. L. Fillmore  
Rep. K. Hall  
Rep. D. Johnson  
Sen. J. Johnson  
Rep. C. Moss  
Rep. C. Pierucci  
Rep. S. Pulsipher  
Sen. K. Riebe  
Rep. A. Romero  
Rep. M. Wheatley

Nays - 0

Absent - 8

Sen. K. Grover  
Rep. K. Lisonbee  
Rep. S. Lund  
Sen. A. Millner  
Rep. J. Moss  
Rep. K. Peterson  
Rep. V. Peterson  
Rep. M. Schultz

Chair Johnson adjourned the meeting at 11:24 a.m.